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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/622,550	07/21/2003	Nicolas Chuberre	Q76543	3920
72875	7590	11/02/2007	EXAMINER	
SUGHRUE MION, PLLC 2100 Pennsylvania Avenue, N.W. Washington, DC 20037			NGUYEN, TOAN D	
		ART UNIT	PAPER NUMBER	
		2616		
			NOTIFICATION DATE	DELIVERY MODE
			11/02/2007	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

USPTO@sughrue.com  
kghyndman@sughrue.com

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/622,550	ALCATEL
	Examiner Toan D. Nguyen	Art Unit 2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 21 August 2007.
- 2a) This action is FINAL.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-13 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1,2,4,5,8,9,12 and 13 is/are rejected.
- 7) Claim(s) 3,6,7,10 and 11 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 21 August 2007 is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892) ✓
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.

- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application
- 6) Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Objections***

1. Claim 12 is objected to because of the following informalities:  
Claim 12 line 4, it is suggested to change "the voice data" to --- voice data ---.  
Appropriate correction is required.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).
4. Claims 1-2, 8-9, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Motley (US 6,721,282) in view of Ferenc et al. (US 4,962,497).

For claims 1 and 12, Motley discloses telecommunication data compression apparatus and method, which multiplexing device comprises:

- a compressor (figure 1, reference 1) adapted to provide a compressed data block representative of the various channels (col. 2 lines 41-42),  
- bandwidth assigned for a given transmission link being predetermined, prediction means for predicting the available bandwidth, known as the margin, taking account of the band occupied for the transmission of said compressed data block (figure 1, reference 3, col. 2 line 46).

However, Motley does not expressly disclose:

- formatting means for subdividing and inserting at least one section of IP datagrams in of the time slots corresponding to the available bandwidth.

In an analogous art, Ferenc et al. disclose formatting means for subdividing and inserting at least one section of IP datagrams in of the time slots corresponding to the available bandwidth (col. 11 lines 24-26).

One skilled in the art would have recognized the disclose formatting means for subdividing and inserting at least one section of IP datagrams in of the time slots corresponding to the available bandwidth, and would have applied Ferenc et al.'s time slot formatter 231 in Motley's multiplexer. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use Ferenc et al.'s building-block architecture of a multi-node circuit-and packet-switching system in Motley discloses telecommunication data compression apparatus and method,

For claims 2 and 8-9, Motley discloses wherein the multiplexing device further comprises memory means for storing at least one IP datagram to prevent congestion of

datagrams caused by short-term variation of the available bandwidth (col. 12 lines 60-61).

5. Claims 4 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Motley (US 6,721,282) in view of Saidi et al. (US 7,106,738).

For claims 4 and 13, Motley discloses telecommunication data compression apparatus and method adapted to demultiplex a compressed data block comprising a compressed block and at least one IP datagram section, the demultiplexing device comprises:

deformatting means for extracting the IP datagram sections and concatenating them in order to direct the IP datagram sections to the Ethernet network; and  
data decompression means for reconstituting active and static channels (figure 1, col. 2 lines 46-49).

However, Motley does not expressly disclose deformatting means for extracting the IP datagram sections and concatenating them in order to direct the IP datagram sections to the Ethernet network. In an analogous art, Saidi et al. disclose deformatting means for extracting the IP datagram sections and concatenating them in order to direct the IP datagram sections to the Ethernet network (figure 12, col. 14 lines 30-36).

One skilled in the art would have recognized the deformatting means for extracting the IP datagram sections and concatenating them in order to direct the IP datagram sections to the Ethernet network, and would have applied Saidi et al.'s packet deformatter 130 in Motley's demultiplex. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use Saidi et al.'s method and

apparatus for high speed packet switching using train packet queuing and providing high scalability in Motley discloses telecommunication data compression apparatus and method with the motivation being to receive train packets via the input port 131, and extract each individual data packet that exists within the train packet, thereby restoring the data packets that were received by the packet formatters (col. 14 lines 33-36).

6. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Motley (US 6,721,282) in view of Ferenc et al. (US 4,962,497) further in view of Saidi et al. (US 7,106,738).

For claim 5, Motley discloses a multiplexing/demultiplexing system comprising:  
a demultiplexing device adapted to demultiplex a compressed data block comprising a compressed block and at least one IP datagram section, wherein the demultiplexing device comprises:

deformatting means for extracting the IP datagram sections, and concatenating the IP datagram sections in order to direct them to the Ethernet network; and  
data decompression means for reconstituting active and static channels from the compressed data block (col. 2 lines 41-49).

However, Motley in view of Ferenc et al. does not expressly disclose deformatting means for extracting the IP datagram sections, and concatenating them in order to direct the IP datagram sections to the Ethernet network. In an analogous art, Saidi et al. disclose deformatting means for extracting the IP datagram sections, and concatenating them in order to direct the IP datagram sections to the Ethernet network (figure 12, col. 14 lines 30-36).

One skilled in the art would have recognized the deformatting means for extracting the IP datagram sections, and concatenating them in order to direct the IP datagram sections to the Ethernet network, and would have applied Saidi et al.'s packet deformatter 130 in Motley's demultiplex. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use Saidi et al.'s method and apparatus for high speed packet switching using train packet queuing and providing high scalability in Motley discloses telecommunication data compression apparatus and method with the motivation being to receive train packets via the input port 131, and extract each individual data packet that exists within the train packet, thereby restoring the data packets that were received by the packet formatters (col. 14 lines 33-36).

***Allowable Subject Matter***

7. Claims 3, 6-7, and 10-11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Response to Arguments***

8. Applicant's arguments with respect to claims 1-13 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

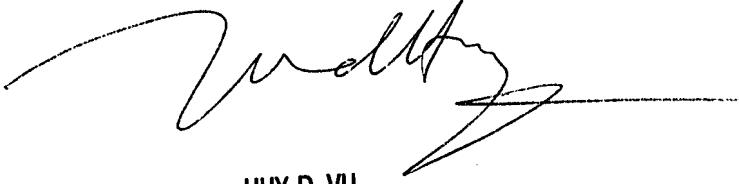
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Toan D. Nguyen whose telephone number is 571-272-3153. The examiner can normally be reached on M-F (7:00AM-4:30PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on 571-272-3155. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TN  
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